



FAIRFAX COUNTY

DP2
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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Fairfax, Virginia 22035-0072

V I R G I N I A

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July 12, 1999

Francis A. McDermott, Esquire
Hunton and Williams
1751 Pinnacle Drive – Suite 1700
McLean, Virginia 22102

RE: Special Exception Number SE 99-D-015
(Concurrent with RZ 1999-DR-012)

Dear Mr. McDermott:

At a regular meeting of the Board of Supervisors held on June 28, 1999, the Board approved Special Exception Number SE 99-D-015, in the name of Robert Frank Pence, located at 1400 Beverly Road and 6841 Old Dominion Drive, Tax Map 30-2 ((1)) 17 and 18 for a five-story hotel with a maximum FAR of 1.0, pursuant to Section 4-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the proposed hotel indicated on the Special Exception Plat consisting of two (2) sheets entitled "Grand Duke Hotel, McLean", dated February 25, 1999 and revised to June 22, 1999. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Management (DPWES).
3. The proposed hotel shall be developed with a maximum of 150 rooms. With the exception of the proposed 80 seat eating establishment, there shall be no dining or meeting facilities in the hotel for use of the general public. Use of hotel facilities, including the swimming pool and sports court, shall be limited to registered hotel guests only and shall not be open to the general public.

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11. Trees depicted along Old Dominion Drive which cannot be planted as shown because of easements or the VDOT sight line shall be relocated elsewhere along the site frontage in order to provide a streetscape which, to the extent feasible, conforms with the McLean CBC design guidelines, as approved by the Urban Forester. Where trees cannot be planted in the planting strip between the sidewalk and street, the area shall be landscaped with low growing shrubs and flower beds, as approved by the Urban Forester and VDOT.
12. The plaza located along Beverly Road shall be planted with both shade and ornamental trees, as approved by the Urban Forestry Branch of DPWES.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be itself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also waived the service drive and trail requirement along Old Dominion Drive.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ns